

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

HELEN CANNADY and GEORGE
CANNADY,

Plaintiffs,

v.

AMERICAN HONDA MOTOR CO.,
INC., et al.,

Defendants.

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Civil Action No. H – 05 – 1533


MEMORANDUM AND ORDER

Plaintiffs have filed a Motion to Remand stating that the Court lacks diversity jurisdiction because Defendant Gillman Honda is a citizen of the same state as Plaintiffs. Defendants argue that Defendant Gillman Honda has been improperly joined to destroy this Court's jurisdiction. Having reviewed the parties' filings and their arguments at the status conference, as well as the relevant case law, the Court finds and holds that Defendant Gillman Honda has been improperly joined. Plaintiffs' claims against Defendant Gillman Honda are therefore **DISMISSED**.

Because there is complete diversity between the remaining parties, and the amount in controversy exceeds \$75,000, this Court has subject matter jurisdiction over this case. *See* 28 U.S.C. § 1332. Accordingly, Plaintiffs' Motion to Remand (Doc. #6) is **DENIED**.

IT IS SO ORDERED.

SIGNED this 10th day of August, 2005.



KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE

TO INSURE PROPER NOTICE, EACH PARTY WHO RECEIVES THIS ORDER SHALL
FORWARD A COPY OF IT TO EVERY OTHER PARTY AND AFFECTED NON-PARTY
EVEN THOUGH THEY MAY HAVE BEEN SENT ONE BY THE COURT.